



Department of Justice

FOR IMMEDIATE RELEASE
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BUSINESSMAN AND NEW JERSEY COMPANY
CHARGED WITH STEEL DRUM PRICE FIXING

WASHINGTON, D.C. -- The Department of Justice announced that a federal grand jury in Philadelphia, Pennsylvania, yesterday returned a one-count indictment charging MACC Holding Corp., formerly Mid Atlantic Container Corp. of Linden, New Jersey, and Daniel Milikowsky, former chairman and co-owner of Mid Atlantic, with conspiring to fix prices of new steel drums offered for sale to customers in the Mid-Atlantic and Northeastern United States. Steel drums are used most frequently for packaging chemical and petroleum products.

The steel drums were offered for sale in New Jersey, eastern Pennsylvania, eastern New York, Delaware, Maryland, the District of Columbia, Virginia, Maine, New Hampshire, Vermont, Massachusetts, Connecticut and Rhode Island.

The indictment charged that Mid Atlantic and Milikowsky conspired with others, in violation of Section 1 of the Sherman Act, to fix prices of new steel drums beginning at least as early as May 1987 and continuing at least until April 1990.

(MORE)

The charges resulted from grand jury investigations in Washington, D.C., Chicago, Illinois, and Philadelphia into price fixing in the metal container industry. The investigations are being conducted by the Antitrust Division's Litigation I Section in Washington, D.C., with the assistance of the Federal Bureau of Investigation, and are continuing.

To date, there have been 10 criminal cases involving steel drum price fixing against 12 companies and 13 individuals. Fines imposed total more than \$8.6 million.

The maximum penalty for an individual convicted under the Sherman Act for a violation occurring prior to November 16, 1990, is three years imprisonment and a fine that is the greatest of \$250,000, twice the pecuniary gain the individual derived from the crime, or twice the pecuniary loss caused to the victims of the crime.

The maximum penalty for a corporation convicted under the Sherman Act for a violation occurring prior to November 16, 1990, is the greatest of \$1 million, twice the pecuniary gain the corporation derived from the crime, or twice the pecuniary loss caused to the victims of the crime.

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